

## ARTICLE 46-01

### GENERAL ADMINISTRATION

Chapter  
46-01-01                      Organization of Department of Labor

#### CHAPTER 46-01-01 ORGANIZATION OF DEPARTMENT OF LABOR

Section  
46-01-01-01                      Organization of Department of Labor

##### **46-01-01-01. Organization of department of labor.**

1. **History.** The 1965 legislative assembly established the department of labor. The department is headed by a labor commissioner. The commissioner was originally elected on the no-party ballot for a term of four years, with the first election being held in 1966. Prior to this time agriculture and labor were one department under the commissioner of agriculture and labor. Effective January 1, 1999, the commissioner is appointed and serves at the pleasure of the governor.
2. **Divisions and functions.** The department of labor is comprised of two divisions. The wage and hour division is primarily responsible for investigating and resolving claims of unpaid wages and other labor standards. The human rights division is responsible for investigating and resolving complaints of discrimination.
  - a. Wage and hour division. The wage and hour division handles labor standards, including inquiries and investigation regarding wage payment, child labor, minimum wage, overtime, employment agencies, independent contractor verification, and subminimum wage. Inquiries regarding wage and hour disputes may be addressed to:

North Dakota Department of Labor  
Wage and Hour Division  
State Capitol  
600 East Boulevard Avenue, Dept. 406  
Bismarck, ND 58505-0340

- b. Human rights division. The human rights division may mediate, conciliate, or investigate complaints or charges of discrimination in the areas of employment, housing, public services, public accommodations, and credit transactions based on a person's membership in a protected category as set forth in North Dakota Century Code chapters 14-02.4 and 14-02.5. In addition, the human rights division may receive complaints of retaliation under

North Dakota Century Code sections 34-01-20 and 34-11.1-05 and attempt voluntary compliance through informal advice, negotiation, or conciliation. Inquiries may be addressed to:

North Dakota Department of Labor  
Human Rights Division  
State Capitol  
600 East Boulevard Avenue, Dept. 406  
Bismarck, ND 58505-0340

**History:** Amended effective November 1, 1981; October 1, 1987; November 1, 1989; August 1, 1991; February 1, 1993; May 1, 1994; October 1, 1996; July 1, 2010.

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